

A34873 PCT USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Fabian et al.  
Serial No. : 10/018,116  
Filed : December 14, 2001  
For : WASTE GAS CLEANING SYSTEM

RESPONSE TO NOTICE TO FILE MISSING  
REQUIREMENTS UNDER U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

EXPRESS MAIL LABEL NO. EU206442660US

Assistant Commissioner of Patents  
Box PCT  
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Requirements of Application Under U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated February 26, 2002, enclosed herewith is a Declaration, English translation, Substitute Specification and Preliminary Amendment referring to the above-identified application by one or more of the following in compliance with 37 U.S.C. 371:

- ( x ) Name of inventor and application serial number;
- ( x ) Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ( x ) Name of inventor, title of invention and filing date;
- ( x ) Name of inventor, title of invention and reference to a substitute specification which is attached to the oath or declaration at the time of execution and filed with the oath
- ( ) Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

RESPONSE - NOTICE OF  
MISSING REQUIREMENTS

PATENT

A34873 PCT USA

Also enclosed are:

1. (x) A check in the amount of \$ 130.00  
(x) \$130 - Other than Small Entity  
( ) \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.492(e);
  2. ( ) An extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$ \_\_\_\_\_
  3. (c) Other English Translation \$ 130.00
- TOTAL FEE ENCLOSED \$ 260.00

Enclosed: Formalities Letter Conf. No. 1556

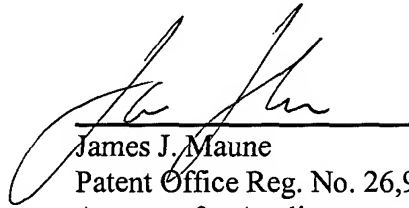
The Commissioner is hereby authorized to charge payment of any  
additional fees associated with this communication to Deposit Account No. 02-4377. A  
duplicate copy of this sheet is enclosed.

Respectfully submitted,

04/23/2002 HNGUYEN 00000042 10010116

01 FC:154  
02 FC:156

130.00 OP  
130.00 CP

  
James J. Maune  
Patent Office Reg. No. 26,946  
Attorney for Applicants  
(212) 408-2566

Baker Botts LL.P  
30 Rockefeller Plaza  
New York NY 10112

NY02:381888.1

# BAKER BOTTS LLP

## FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,540

Complete if Known

Application Number 10/018,116  
Filing Date December 14, 2001  
First Named Inventor Fabian  
Examiner Name  
Group Art Unit  
Attorney Docket No. A34873 PCT USA

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-4377  
Deposit Account Name Baker Botts LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
90	20** = 70	18	1,260
1	3** = 0	84	0
Multiple Dependent		280	280

12/13/2002 MAUNE 00000042 10010115

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
18	9	Claims in excess of 20	280.00 02
84	42	Independent claims in excess of 3	
280	140	Multiple dependent claim, if not paid	
84	42	** Reissue independent claims over original patent	
18	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 1,540

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

### SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone	Date
James J. Maune	16,946	212-408-2566	4-19-02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PAKER BOTTS L.L.P.



UNITED STATES PATENT AND TRADEMARK OFFICE

02 MAR -4 PM 12:38

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/018,116	FIRST NAMED APPLICANT Lutz Fabian	ATTY DOCKET NO. EF377397961US
INTERNATIONAL APPLICATION NO. PCT/DE00/01576		
LA. FILING DATE 05/15/2000	PRIORITY DATE 06/16/1999	

James J Maune  
Baker Botts  
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New York, NY 10112-4498

CONFIRMATION NO. 1556

371 FORMALITIES LETTER



\*OC00000007535244\*

Date Mailed: 02/26/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

Docketed  
For 4/17/2002 by [Signature]  
8/26/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

Copy in Packet [Signature]